



SDMS DocID 2022033

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia Pennsylvania 19103 2029

**SUBJECT** Technical Evaluation of Consent Order changes in work  
previously selected in the Action Memo

Docket No III 2004 0255DC

SEP 30 2004

**FROM** Dennis Matlock OSC *D Matlock*  
Removal Enforcement and Oil Section (3HS32)

**TO** File

The Consent Order makes two changes to the work previously selected in the Action Memo EPA has removed a limit on the depth of excavation that may occur during the Removal Action The Action Memo limited any such excavation to no greater than two feet below the native ground surface Respondent has requested that it have the option to excavate to a depth greater than two feet as an alternative to having to maintain a cap for everything below two feet Second Respondent has requested that the Consent Order include a provision that would allow the possibility of recycling the ceramic shards that have been disposed of at the Site Such a provision has been added provided that any such recycling must be done in accordance with the relevant portions of RCRA TSCA and their implementing regulations

I have reviewed these two changes and believe them to be technically acceptable changes to the removal work proposed in the action memo I believe that these changes to the work required by the Consent Order will protect the public health and welfare and the environment by ensuring that a proper removal response action as defined in Section 101(23) of CERCLA 42 U S C § 9601(23), is conducted at the Site



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